

HUMAN SERVICES BOARD

INTRODUCTION

FINDINGS OF FACT

2. The petitioner applied for benefits on July 19, 2007. Both the petitioner and his wife are employed full-

time. The petitioner has health insurance that covers the family although the family has a \$5,000 deductible. The petitioner reported bi-weekly wages of \$1,189.70 for himself and bi-weekly wages of \$1,035.21 for his wife. The household had a combined monthly gross income of \$4,783.55. After applying the employment deduction of \$90 for each wage earner, the household had countable monthly income of \$4,603.55 which is in excess of the Dr. Dynasaur (pregnant woman) program maximum for a four person household of \$3,442.

3. The Department issued a notice dated August 6, 2007 (1) denying VHAP for petitioner and his wife, (2) denying Pharmacy program coverage for petitioner and his wife, (3) denying Medicaid coverage through the Dr. Dynasaur (pregnant women) program for petitioner's wife, (4) calculating a spend-down for petitioner's wife to qualify for Medicaid, and (5) granting Dr. Dynasaur coverage for the minor child contingent upon payment of a premium.

4. A fair hearing was held on August 30, 2007. The petitioner did not dispute that the family has private medical insurance and did not dispute the household income figures or the amount of the spend-down for his wife.

5. Petitioner has been advised to keep track of medical expenses incurred by the family to determine if the

wife will subsequently meet her spend-down for Medicaid coverage.

ORDER

The Department's decision to deny VHAP, pharmacy coverage, and Medicaid is affirmed.

REASONS

Under the VHAP regulations, all unearned and earned income, except for a \$90 disregard for earned income, is included as countable income for VHAP eligibility. W.A.M. § 4001.81 (c) and (e). There is no dispute that petitioner's household had countable income in excess of a four-person household or \$3,184. P-2420B.

The petitioner's household income exceeds the program maximums for the VPharm and VScript programs. P-2420B. In addition, the petitioner's household is not eligible for pharmacy benefits under the Healthy Vermonters program because they have private health insurance that includes prescription cost coverage. W.A.M. § 3401.1.

The Dr. Dynasaur program provides health coverage to low income pregnant women as well as minor children. To qualify for Dr. Dynasaur due to pregnancy, the household income must be less than 200 percent of the federal poverty level.

M302.27. There is no dispute that at the time of petitioner's application, the household had income in excess of the program maximum of \$3,422 per month for a four person household. P-2420B.¹

Accordingly, the Department's decision to deny benefits to petitioner and his wife is affirmed. 3 V.S.A. § 3091(d), Fair Hearing Rule No. 17.

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¹The petitioner's daughter qualified for Dr. Dynasaur because the income maximums for children under eighteen years of age are set at 300 percent of the federal poverty level.